

REMARKS

In light of the foregoing remarks and amendments reconsideration and withdrawal of the rejections set forth in the Office Action dated September 21, 2004 are respectfully requested. Claims 1-3 were pending in this application at the time the present Office Action was mailed. Claim 1 has been amended. Accordingly, claims 1-3 are now pending.

The applicant wishes to thank the Examiner for the thorough Office Action. In the Office Action, the Examiner rejected claims 1-3. More particularly, the status of the application in light of this Office action is as follows:

Claims 1-3 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Claims 1-3 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-3 are rejected under 35 U.S.C. §102(b) as being anticipated by Thomas (US Patent No. 5,095,223).

Response to Section 112, First Paragraph, Rejection of Claim 1

Independent claim 1 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. With regard to the first paragraph, the Office Action stated that the claim contains subject matter which was not adequately described in the specification in such a way to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The Office Action further states that "the specification discloses that the connection shown in Figure 2 as being the ground connection can also be a 'substrate' connection," and that, "while the substrate of the circuit may be connected to ground, it is not seen that

the circuit will operate with this connection." These Office Action statements refer to the following recitation of the application:

"The capacitors C1, C2, and C3 is also connected to a low voltage potential through switches MN1-MN6. Similarly, the output capacitor C4 is connected between a low (negative) voltage potential (typically the substrate) and a high voltage rail."

It is important to notice that this particular connection is merely one instance of the proposed circuit, and is recited in relation to Figure 3B. This arrangement only exists when the circuit operates in the 1x mode. The Examiner would have been correct in doubting the operation of the circuit if such connection was permanent; however, such is not the case except in the 1x mode. The undersigned respectfully submits that, realizing the purpose of this connection, the specification is enabling for any one skilled in the relevant art. Therefore the undersigned respectfully requests the withdrawal of the Section 112, first paragraph, rejection of claim 1.

Response to Section 112, Second Paragraph, Rejection of Claim 1

Independent claim 1 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended.

With regard to the second paragraph of 35 U.S.C. §112 the Office Action asserted that "in claim 1, it is not seen how the circuit can operate with the circuit being connected to the 'substrate' rather than to ground, for similar reasons as discussed above," and that "in line 4, there is no support found for 'an output capacitor connected between said high voltage line and said substrate'." The Office Action further asserts that "while capacitor C1 is seen to have this connection, it would be unreasonable to consider C1 to be 'an output capacitor'," and that "capacitor C4 would reasonably be considered to be 'an output capacitor', however such does not have the recited connections."

Claim 1 is hereby amended to address the inconsistency with the specification and to overcome the objection stated in the Office Action. In claim 1, as amended, capacitor C4 is not permanently connected to the substrate. The amended claim 1 is supported by the specification and Figure 2, which is a general schematic diagram of the proposed circuit. The undersigned respectfully submits that claim 1, as amended, overcomes Section 112, second paragraph, rejection and therefore requests its withdrawal.

Response to Section 102 Rejection of Claim 1

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by Thomas. The Office Action attempts to show the similarities of claim 1 and Figure 5 of Thomas. However, claim 1 recites a power-supply connection and a plurality of charging-capacitor connections to the substrate, whereas Thomas does not teach or suggest such connections. This concept is totally absent in Thomas. As a matter of fact even the word "substrate" is not used in Thomas.

For a claim to be rejected based on anticipation under 35 U.S.C. §102(b), MPEP 2131 requires that: "to anticipate a claim, the reference must teach every element of the claim." Thomas does not teach, suggest, or even imply the connections recited in claim 1. For the reason discussed above and for the additional features of the amended claim 1, a *prima facie* case of anticipation under Section 102 has not been established with respect to this claim and accordingly the undersigned requests the withdrawal of the Section 102 rejection of claim 1.

Response to Section 102 and 112 Rejections of Claims 2 and 3

Claims 2 and 3 depend from claim 1 and accordingly include the features of claim 1. For reasons discussed above a *prima facie* case of anticipation under Section 102 and 112 has not been established with respect to the base claim 1 and accordingly the undersigned requests the withdrawal of the rejections of claims 2 and 3.

Conclusion

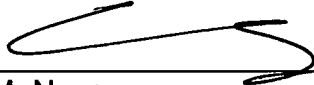
In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and are in condition for allowance; therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6488.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 386168015US from which the undersigned is authorized to draw.

Dated:

11/23/08

Respectfully submitted,

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